



Room 301, Hall of Records
2281 Tulare Street
Fresno, California 93721-2198
Telephone: (559) 488-3529
Toll Free: 1-800-742-1011

Board of Supervisors Agenda

Chairman

Juan Arambula
3rd District

Vice Chairman

Susan B. Anderson
2nd District

Phil Larson
1st District

Bart Bohn
County Admin. Officer

Judith G. Case
4th District

Phillip S. Cronin
County Counsel

Bob Waterston
5th District

Bernice E. Seidel
Clerk

TUESDAY

AUGUST 26, 2003

9:00 A.M.

PLEDGE OF ALLEGIANCE

NOTE: Any item that is pulled from the morning consent agenda for discussion will be set aside until the department can be notified and its representative is in the board room.

1. Morning Consent Agenda – Item Numbers 14 - 34

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Morning Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

Administrative Office

2. Proclaim September 2003 as “Alcohol and Drug Addiction Recovery Month”
3. Seek public input concerning alternative future uses of University Medical Center at 445 South Cedar Avenue, Fresno, following the expiration of the County’s lease with Fresno Community Hospital and Medical Center on October 6, 2004 (the County owns this facility and formerly operated it as Valley Medical Center)
(continued from August 5, 2003)

County Clerk/Registrar of Voters

4. Receive verbal report from County Clerk/Registrar of Voters on the status of the October 7, 2003 Election
5. **Board of Supervisors’ Committee Reports** – Receive and provide direction (This item reserved for committee reports by members of the Board of Supervisors)

6. **Board Appointments** – (List attached in packet and posted on bulletin board outside of Board Chambers)
7. **Closed Session** –
 - a. Conference with legal counsel – Existing Litigation Government Code Section 54956.9(a) – County of Fresno v. Board of Retirement, Fresno County Superior Court Case No. 03 CE CG 01569
 - b. Conference with legal counsel – Significant Exposure to Litigation Government Code Section 54956.9(b) – No. of Cases: 1
 - c. Conference with legal counsel – Initiation of Litigation Government Code Section 54956.9(c) – No. of Cases: 1
 - d. Conference with Real Property Negotiators (GC 54956.8)
Property: Acute care hospital, formerly known as Valley Medical Center; ambulatory care clinics (including the children's clinic), and Huntington Hall, all at 445 South Cedar Avenue
County's Negotiators: Bart Bohn, Vicki Crow, Phillip Cronin
Negotiating Parties: Community Medical Center and County of Fresno
Under Negotiation: Lease of property described above - instructions to County's negotiators concerning leasing price and terms of lease payments

NOON RECESS

2:00 P.M.

8. Afternoon Consent Agenda – Item Numbers 35 - 39

- (These matters are routine in nature and are usually approved by a single vote. Prior to action by the Board, the public will be given the opportunity to comment on any Consent Item)
- Items to be removed from Consent for Discussion
- Approval of Afternoon Consent Agenda
- Discussion/Action on Items removed from Consent Agenda

Administrative Office

9. Consider presentation on Pilot Indicator Project “Using Indicators to Track Changes in Implementation of the Fresno County General Plan” by League of Women Voters, and consensus Resolution adopted by Fresno County Planning Commission recommending use of indicators in future Annual Reports on General Plan
10. Conduct hearing to receive protests from County Service Area No. 44-D property owners on imposing increased water and sewer fees as required under Proposition 218; if there is no majority protest based on results, adopt resolution approving increased fees; direct staff to include fees on Master Schedule of Fees, Charges and Recovered Costs for administrative purposes; if there is majority protest, adopt resolution denying fee increases and continuing with existing fees
11. Amendment to Text Application No. 351 proposing to amend various sections of Zoning Ordinance to implement State Law (Government Code Sec. 65852.2) regarding second dwelling units
12. Consider and take action on appeal regarding Planning Commission’s approval of Initial Study Application No. 4822 and Director Review and Approval Application No. 3461 filed by Robert and Robin Hansen proposing to allow commercial stable and riding arena on 12.76-acre portion of an approximate 285-acre parcel of land in AE-40 District on east side of Loper Valley Road, a private road approximately four miles south of unincorporated community of Prather (continued from August 5, 2003)
13. **Public Presentations** – (This portion of the meeting reserved for persons desiring to address the Board on any matter not on this agenda – Pursuant to Administrative Policy No. 29, presentations are limited to 5 minutes per person and no more than 15 minutes per topic)

ADJOURN

NEXT MEETINGS:

September 9, 2003 – 9:00 A.M.

September 16, 2003 – 9:00 A.M.

<p>Requests for disability-related modification or accommodation needed in order to participate in the meeting must be made to the Clerk to the Board of Supervisors (559) 488-3529 no later than Monday at 9:00 a.m.</p>
--

MORNING CONSENT AGENDA – Item Numbers 14 - 34
(Any Board Member may pull any consent item for discussion or separate vote)

Auditor-Controller/Treasurer-Tax Collector

14. Adopt resolution fixing Tax Rates on secured roll for the countywide rate of 1.000, voter approved indebtedness and ad Valorem Taxes for Revenue Districts for FY 2003-04

County Counsel

15. Approve and authorize Clerk to execute Budget Transfer No. 9, Interest and Miscellaneous Expenditures (\$100,000)
16. Approve and authorize Chairman to execute an amended legal services agreement with the law firm of Lozano Smith for special counsel to the County related to annual leave litigation in Superior Court Case Nos. 01 CE CG 01042 and 03 CE CG 02256

District Attorney

17. Approve and authorize Chairman to execute revenue agreement for Local Enforcement of Tobacco Control Laws program with the City of Fresno through the Fresno Police Department (\$66,620)

Administrative Office

18. Consider and take action on request for determination of public convenience and necessity on application for alcoholic beverage license filed by Laura Eileen Rojas (continued from August 19, 2003)
19. Authorize Auditor-Controller/Treasurer-Tax Collector and General Services Division Manager to jointly purge the Fixed Asset Reserve Ledger for Org. 8917 – Surplus Property of all items for which there is no longer any means of tracking
20. Adopt revised Board meeting schedule for January through December 2004 (continued from August 19, 2003)
21. Approve and authorize Health Insurance Portability and Accountability Act Privacy/Compliance Officer, or designee, to execute a Business Associate Agreement with the Commission on Accreditation of Rehabilitation Facilities effective upon execution, all future Business Associate Agreements, and amendments to modify existing agreements to include Business Associate language

Agreements – Approve and Authorize Chairman to Execute

22. Lease agreement with I-5 Social Services Corporation to provide childcare services in a County-owned facility located at 29595 W. Latta Ave. in Cantua Creek for a 3-year primary term
23. Agreement with Central Valley Young Men's Christian Association to operate a Children's Room in the Human Services System's Selma Regional Center and Fairgrounds Intake Building, and in the Department of Employment and Temporary Assistance's Heritage Center (\$139,610)

24. Retroactive – revenue agreement with State Emergency Medical Services Authority (\$306,842); and State Contractor Certification Clauses
25. Retroactive – amendment to agreement with Superior Court of California for provision of mediation services (\$165,000)
26. Retroactive – grant award agreement with U.S. Department of Health and Human Services, Maternal and Child Health Bureau, for Eliminating Disparities in Perinatal Health (\$1,399,566); amendment to agreement with Judith Gonzalez-Calvo, Ph.D., dba Evalustats, to provide technical assistance and evaluation for Babies First (\$40,000); and adopt resolution increasing FY 2003-04 Department of Community Health Org. 56201747 appropriations and estimated revenue (\$234,132) to bring the County budget in line with the State allocation (4/5 vote)
27. Retroactive – agreement with State Department of Mental Health for State Psychiatric Hospital beds for Fresno County residents (\$1,277,800)
28. “AGREEMENT TO DEFEND PUBLIC OFFICER OR EMPLOYEE” for the employee and case as listed below; Herbert Cruz, M.D., Psychiatrist; as named in Fresno County Superior Court Case No.: 03 CE CG 02137 DSB – Arturo Rios Llamas, et al. v. County of Fresno, et al.
29. “AGREEMENT TO DEFEND PUBLIC OFFICER OR EMPLOYEE” for the employee and case as listed below; Katrin Rogers, Social Work Supervisor; as named in Fresno County Superior Court Case No.: 642540-9 – Douglas Haaland, Sr., et al. v. County of Fresno, et al.
30. “AGREEMENT TO DEFEND PUBLIC OFFICER OR EMPLOYEE” for the employee and case as listed below; Michael Wibbels, Correctional Officer IV; Virginia Saulter, Correctional Officer IV; and Rudy Marquez: as named in U.S. District Court Eastern District of CA Case No.: CIV-F-02-5847 – Brian Scott Robinson v. County of Fresno, et al.
31. Revenue agreement with State Department of Health Services for Tobacco Control Funds (\$375,333)
32. Amendment to agreement with Deaf and Hard of Hearing Services Center, Inc., for sign language interpreting and translation services (\$15,000)
33. Settlement agreement with Centers for Medicare and Medicaid Services Federal Medi-Cal Outpatient Litigation for Eight-County, Barlow, and Orthopaedic cases (\$2,521,682)
34. Agreement with Sierra Unified School District for provision of verifying CalWORKs and food stamp eligibility in order to qualify children for Federal school lunch and/or breakfast and child nutrition programs

AFTERNOON CONSENT AGENDA – Item Numbers 35 - 39

(Any Board Member may pull any consent item for discussion or separate vote)

Administrative Office

35. Release \$26,228.13 Maintenance Bond for Tract No. 4977 as one-year maintenance period ends August 27, 2003

Agreements – Approve and Authorize Chairman to Execute

36. Amendment to Multi-Project Agreement with City of Parlier for Parlier Madsen and Parlier Avenue Intersection Traffic Signalization Project No. 02079 (\$9,500)
37. Agreement with Rho-Chem Corporation, a wholly-owned subsidiary of Philip Services Corporation, to conduct Household Hazardous Waste Drop-off Program (\$240,000)
38. Amendment to agreement with ValleyGeo for groundwater monitoring analytical and reporting services at closed Blue Hills Hazardous Waste Disposal Site (\$72,260) and adopt budget resolution increasing 2003-04 appropriation by \$25,000, Public Works and Planning-Resources Division Org. 43600400 (4/5 vote)
39. Program Supplement Numbers 034-M2 (Crescent Ditch Bridge Replacement on Howard Avenue), 168-M (Shoulder Improvements to Reduce PM-10 in various locations), 174-M (Mill Ditch Bridge Rail Replacement at Bethel Avenue), and 175-M (Asphalt Concrete Overlays in various locations) to Administering Agency-State Master Agreement for Federal Aid No. 06-5942 for reimbursement with Federal Funds